



# Feering Parish Council Co-Option Policy

Version No	Date	Author	Review due	Notes
1	14/05/19	LMC	14/05/20	Approved by Feering Parish Council

## **1 Introduction**

- 1.1 Parish Councils are permitted to exercise the power to co-opt a person onto the Council to fill a casual vacancy when the requirements to hold an election have not been met – ie the vacancy has been the subject of a public notice and less than 10 registered electors have requested an election by the deadline specified by the District Returning Officer.
- 1.2 To ensure that a fair and transparent process is undertaken, the procedure below will be followed by Feering Parish Council.

## **2 Procedure**

- 2.1 On receipt of written confirmation, from the electoral service of Braintree District Council the Casual Vacancy can be filled by means of co-option, in this instance the Clerk will:
- i Advertise the vacancy for 4 weeks on the council notice boards and website, and place an advertisement in the village magazine.
  - ii Advise the Council that the Co-Option policy has been instigated by sending an email to all councillors.
- 2.2 Applicants are requested to contact the Clerk to express an interest in becoming a Feering Parish Councillor, the Clerk will arrange a meeting or discussion to outline the following:
- i Eligibility criteria;
  - ii Role requirements including Code of Conduct, Acceptance of Office declaration, Declaration of Interest, attendance at Councillor Training days.
- 2.3 The Clerk will also provide the following documentation by email:
- i Good Councillor Guide;
  - ii Leaflet – What do Parish Councillors do.
- 2.4 The Clerk will advise the prospective councillor to attend some Parish Council meetings and Committee meetings, if the prospective councillor has not already done so.
- 2.5 If the prospective councillor is still interested, they will be requested to submit a co-option Application Form (Appendix 1) and co-option eligibility form (Appendix 2).
- 2.6 Applications will be forwarded, under Private and Confidential, along with the agenda for the next Parish Council; the vote for co-option will be detailed on the agenda.

- 2.7 Prospective Councillors will be invited to attend the meeting in order for them to address the Parish Council and for Parish Councillors to ask questions.
- 2.8 The Councillors will vote, by show of hands, unless a Councillor requests a secret ballot or the Chairman directs that one will take place.
- 2.9 Voting will be according to the statutory requirements in that a successful candidate must receive an absolute majority vote of those present and voting. If there are more than two candidates for one vacancy and no one, at the first count, receives a majority over the aggregate votes given to the rest, the applicant with the least number of votes will be taken off the list. The remainder will be put to the vote again, this process, if necessary, be repeated until an absolute majority is obtained. In the case of an equality of votes the Chairman of the meeting has a second or casting vote.
- 2.10 The Chairman will declare the successful candidate duly elected, if applicable.
- 2.11 The Clerk will inform the candidate of the outcome of the vote at the earliest opportunity, if they are not present at the meeting, both by telephone and in writing.
- 2.12 The newly appointed Councillor will be invited to attend a meeting at the Parish Council offices with the Clerk and Chairman of the Parish Council to complete the Declarations as detailed above, to review and confirm Committee membership and to receive copies of the Standing Orders, Financial Regulations and Code of Conduct.
- 2.13 Following appointment, the Clerk will notify Electoral Services of the new Councillors and ensure documentation is published as required.

**Appendix 1**

**Co-Option Application Form**

Name:

Address for Correspondence:

Post Code:

Tel:

Mobile:

Are you over 18?      Yes / No

Please detail any experience you have that may be relevant to Feering Parish Council. (If necessary please continue on a separate sheet of paper).

Is there any other information you would like to disclose regarding your application? (If necessary please continue on a separate sheet of paper).

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

Please return your completed form, together with the Co-Option Eligibility Form to:

The Clerk, Feering Parish Council, Feering Community Centre, Coggeshall Road, Feering, Colchester, CO5 9QB or by Email: [clerk@feeringparishcouncil.gov.uk](mailto:clerk@feeringparishcouncil.gov.uk)

## Appendix 2

### Co-Option Eligibility Form

1. In order to be eligible for co-option as a Feering Parish Councillor you must be a British subject, or a citizen of the Commonwealth, or the European Union. You must also be 18 years of age or over on the “relevant date”, that being the day on which you are nominated, or if there is a poll, then the day of the election. You must additionally be able to agree with the following qualifications set out below:

Please circle which of the following four points applies to you:

- i. I am registered as a local government elector for the parish; or
  - ii. I have, during the whole of the twelve months preceding the date of my co-option, occupied as owner or tenant, land or other premises in the parish;
  - iii. My principal or only place of work during those twelve months has been within the parish;
  - iv. I have, during the whole twelve months, resided in the parish, or within 3 miles of it.
- 1.2. Please note that under Section 80 of the Local Government Act 1972, a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if he/she:
- i. Holds any paid office or employment of the local council (other than the office of Chairman) or of a joint committee on which the Council is represented; or
  - ii. Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors (but see below); or
  - iii. Has within five years before the day of election, or since his/her election, been convicted in the UK, Channel Islands or Isle of Man of any offence and has been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine; or
  - iv. Is otherwise disqualified under Part III of the Representation of the People Act 1983 for corrupt or illegal practices.
- 1.3. This disqualification for bankruptcy ceases in the following circumstances:
- i. If the bankruptcy has been annulled on the grounds that either the person ought not to have been adjudged bankrupt or that his/her debts have been fully discharged;
  - ii. If the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her party;

iii. If the person is discharged without such a certificate.

In 1.3.i and 1.3.ii above, the disqualification ceases on the date of the annulment and discharge respectively. In 1.3.iii, it ceases on the expiry of five years from the date of discharge.

I (INSERT NAME) ..... hereby confirm, that I am eligible to apply for the vacancy of Feering Parish Councillor, and that the information given on this form is a true and accurate record.

Signed: ..... Dated: .....